

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84409 of 2025

Arising Out of PS. Case No.-250 Year-2025 Thana- BAISI District- Purnia

Urmila Devi, S/O Late Anandi Rishi, R/O Vill- Purab Chowk, Ward No.- 04,
Behind Noor Medical, P.S-Bayasi, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 17-12-2025 Heard Mr. Nishant Kumar Sinha, learned counsel
for the petitioner and Mr. Mohammad Sufyan, learned APP for
the State.

2. The petitioner apprehends her arrest in connection with Bayasi P.S. Case No. 250 of 2025 dated 27.06.2025 registered for the offence punishable under section 30(a) of the Bihar Prohibition & Excise Act (in short, 'Excise Act').

3. The main submissions advanced by petitioner's counsel are that the recovery of the alleged liquor is said to have been made from the *porch* of the petitioner's house but the said recovery was not made before any independent person and the specific place in the petitioner's house from where the alleged recovery was made has not been mentioned in the seizure memo and further, the compliance of section 103 of BNSS was not



made by the police and at the time of the alleged recovery, no member of the petitioner's family was present at her house. It is lastly submitted that the petitioner is a lady and her past is completely clean and she has never remained involved in similar type of alleged offence of the Excise Act and in the light of these circumstances, the alleged offence of the Excise Act, under which the FIR has been registered, does not attract even *prima facie* against the petitioner, so, her prayer is not hit by the provisions of section 76(2) of the Excise Act.

4. Though learned APP for the State has opposed the prayer of the petitioner but he has not been able to rebut the petitioner's aforesaid submissions.

5. In the facts and circumstances of this case and mainly considering the above submissions and the fact that the petitioner is a lady, having fair and clean antecedent, this Court is inclined to grant the relief of anticipatory bail to the petitioner. Accordingly, let the petitioner named-above, in the event of her arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection



with Bayasi P.S. Case No. 250 of 2025, subject to the conditions
as laid down under Section 482(2) of the BNSS.

(Shailendra Singh, J)

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